

Applicant: Valentino Campagnolo
Application No.: 09/850,069

REMARKS

Claims 4, 5, and 13-44 are currently pending in this application. By the foregoing Amendment, Applicant has canceled claims 1-3, amended claims 4 and 5, and added new claims 13-44. No new matter has been introduced into the application by these amendments.

In the action, claims 4 and 5 were indicated as being allowable if rewritten to overcome a 35 U.S.C. 112, second paragraph, rejection and to include all the limitations of the base claim. Accordingly, claim 4 has been amended to overcome the rejection under 35 U.S.C. 112, second paragraph. Further, in view of the indication of allowable subject matter, claim 4 has been rewritten to include all the limitations of canceled claim 1. Claim 5 has also been amended to recite "a battery for the power supply system" in order to have proper antecedents. Accordingly, claims 4 and 5 should now be in condition for allowance.

Claims 1-5 were rejected under 35 U.S.C. §112, second paragraph as being indefinite. Applicant has cancelled claims 1-3. New claims 13-44 do not contain the phrase "and/or" and are therefore believed to be in compliance with Section 112.

Claims 1 and 3 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,170,981 (Lin). Applicant respectfully traverses this rejection. However, to the extent that claims 1 and 3 have been cancelled, Applicant will address this rejection with respect to currently pending claims 13, 23, and 35.

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Claims 13, 23, and 35 each recite a containment unit, for housing a component operatively associated with an electronic device(s), which attaches to the frame of a bicycle at the same anchoring point as the bottle cage unit. In contrast, Lin discloses a removable bag attached to a bottle cage unit for mounting on a bicycle. Lin fails to disclose a containment unit for containing a component operatively associated with at least one electronic device, as required in each of claims 13, 23, and 35. The bag described and illustrated in the specification of Lin is made of soft material. There is no suggestion or disclosure in Lin that would lead one skilled in the art to use that type of container for housing electronic components. Further, since electronics typically require a rigid mounting structure, the soft material bag of Lin teaches away from its use in connection with an electrical component.

Claims 13, 23, 35 are further patentable over Lin because Lin fails to disclose a containment unit affixed or adapted to be affixed to a bicycle frame at the same anchoring point as the bottle cage. All of the claims require a containment unit which uses the same anchoring point as the bottle cage and which can be attached to the bicycle frame independently of the bottle cage. Lin describes a bag that attaches to the bottle cage itself. This is not affixed to the frame of the bicycle, and can not ever be installed in the absence of its mating bottle cage unit. Accordingly, Applicant respectfully submits that claims 13, 23, and 35 are patentable over Lin.

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Additionally, claims 14-22, 24-36, and 36-44 depend, directly or indirectly, from one of claims 13, 23, and 35 and are therefore also patentable over Lin.

Claims 31 and 44 are further patentable over Lin because Lin does not disclose "aligned holes" for mounting the bottle cage unit and the containment unit to the bicycle frame. The Lin containment unit mounts directly to the bottle cage unit without fasteners, for easy and frequent removal, and therefore does not suggest or disclose this feature.

In consideration of the foregoing, Applicant respectfully requests withdrawal of the Section 102 rejection in view of Lin.

Claims 1-3 were also rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent 6,095,270 (Ishikiwa). Applicant respectfully traverses this rejection. However, to the extent that claims 1-3 have been cancelled, Applicant will address this rejection with respect to currently pending claims 13, 23, and 35.

Claims 13, 23, and 35 each recite a containment unit, for housing a component operatively associated with an electronic device(s), which attaches to the frame of a bicycle at the same anchoring point as the bottle cage unit.

Ishikawa discloses a battery box positioned rearwardly on a bicycle seat tube. Ishikawa fails to disclose a containment unit affixed to or adapted to be affixed to the bicycle frame at the same anchoring point as the bottle cage. All of the claims recite a containment unit which uses the same anchoring points as the bottle cage

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and which can also be attached to the bicycle frame independently of the bottle cage. Ishikawa does not disclose a bottle cage or a bottle cage anchoring point.

Further, the battery disclosed in Ishikawa is of the type used to power a small personal vehicle. The battery box required for this is fairly large and not suitable for mounting on the same anchoring point as that of the bottle cage. This reference therefore teaches away from mounting a containment unit in the same location as that of the bottle cage due to the battery space required.

Accordingly, Applicant respectfully submits that claims 13, 23, and 35 are patentable over Ishikawa. Additionally, claims 14-22, 24-34, and 36-44 each depend, directly or indirectly, from one of claims 13, 23, and 35 and therefore are also patentable over Ishikawa.

In consideration of the foregoing, Applicant respectfully requests withdrawal of the Section 102 rejection in view of Ishikawa.

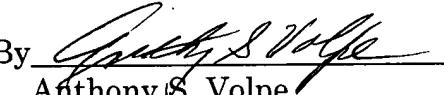
If for any reason the Examiner is unable to allow the application on the next Office Action and believes that an interview, either telephonically or in person, would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging an interview.

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In view of the foregoing, Applicant respectfully submits that the present application, including claims 4 and 5, and 13-44, is in condition for allowance, and a notice to that effect is respectfully solicited.

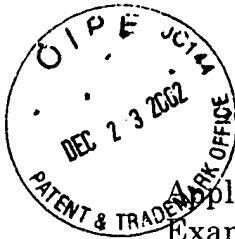
Respectfully submitted,

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Examiner: Brevard, Maerena W.

37 CFR §1.121(b)(1)(iii) and (c)(1)(ii) SPECIFICATION AND CLAIM AMENDMENTS- MARKED UP VERSION

IN THE TITLE

Please delete the present title and replace it with the following new title:
--ELECTRONIC CONTROL CONTAINMENT UNIT FOR BICYCLES--

IN THE CLAIMS

--4. (Twice Amended) [The containment unit according to claim 1] A containment unit for a bicycle having a frame, a bottle-cage supporting unit affixed to the frame at an anchoring point wherein said bottle-cage support includes a supporting plate which can be fixed to a tube of the bicycle frame, at least one electronic device on board the bicycle, at least one of an electronic control system and a power supply system for said electronic device, said containment unit comprising;

a conformation suitable for being fixed to the frame at the same anchoring point as that for the bottle cage support, said at least one of an electronic control system and a power supply system being arranged and supported within said containment unit, and [in that to said bottle cage support there are associated] wherein said containment unit comprises auxiliary supporting means associated with said bottle cage support that are [designed to be] set between said supporting plate and the bicycle frame, and [in that] the container for the at least one of the electronic control system [unit] and the power supply system is rigidly connected to [the] a bottom end of said auxiliary supporting means and projects in cantilever fashion therefrom beneath a space designed to receive the bottle.

5. (Amended) The containment unit according to claim 4, wherein said auxiliary supporting means are provided laterally with elastic clamps for anchoring an elongated sheath constituting the container for a battery for the [electric] power [-] supply system [battery].

IN THE SPECIFICATION

Page 5, amend the paragraph starting on line 33 of page 5 and finishing on page 6 as follows:

--Figures [5] 6 and [6] 7 illustrate a variant in which the container for the electronic control unit includes a flattened body 31 which is set between the plate 5f or carrying the bottle-cage supporting unit and the tube 2 of the frame 1, which includes two holes 32 for engagement of the fixing screws. The same container 31 incorporates, on one side a sheath 33 for the batteries 13.--

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